

STATEMENT OF
CARL BLAKE, ASSOCIATE LEGISLATIVE DIRECTOR
PARALYZED VETERANS OF AMERICA
BEFORE THE
HOUSE COMMITTEE ON VETERANS' AFFAIRS
SUBCOMMITTEE ON HEALTH
CONCERNING
THE STATUS OF IMPLEMENTATION OF P.L. 107-287,
THE "DEPARTMENT OF VETERANS AFFAIRS EMERGENCY
PREPAREDNESS ACT OF 2002"

MARCH 27, 2003

Chairman Simmons, Ranking Member Rodriguez, members of the Subcommittee, PVA would like to thank you for the opportunity to testify concerning the status of implementation of P.L. 107-287, the "Department of Veterans Affairs Emergency

Preparedness Act of 2002.” In light of current events taking place in the Middle East, this topic could not be more relevant.

P.L. 107-287 authorized the Secretary of Veterans Affairs (VA) to establish four emergency preparedness centers within the VA for research and development for dealing with weapons of mass destruction, to educate and train health care provisions, and to provide support to Federal, state, and local agencies. Section 3 of the law required the VA to develop and disseminate a series of model education and training programs on the medical responses to the consequences of terrorist activities. Section 4 authorized the VA to provide hospital and medical services to individuals effected by a disaster or medical emergency to include all veterans, whether enrolled in the system or not, and active duty military personnel. Finally, Section 5 established an Assistant Secretary for Operations, Preparedness, Security and Law Enforcement.

Public Law 97-174, the “Veterans’ Administration and Department of Defense Health Resources Sharing and Emergency Operations Act,” currently part of 38 U.S.C. § 8111A, established the VA as the principal medical care backup for military health care “[d]uring and immediately following a period of war, or a period of national emergency declared by the President or the Congress that involves the use of the Armed Forces in armed conflict[.]” 38 U.S.C. § 8111A. This constitutes explicit statutory authority for the fourth mission of the VA. With soldiers currently in the field in combat, this mission is very much a priority at this time.

An important part of the VA's critical 4th mission is to also assist states and localities. The Government Accounting Office (GAO), in a January 2001 report entitled "Major Management Challenges and Program Risks" (GAO-01-255) characterized the VA's role as the "primary backup to other federal agencies during national emergencies." The GAO further stated, the "VA's role as part of the federal government's response for disasters has grown with the reduction of medical capacity in the Public Health Service and military medical facilities." The VA is the only health care system that is capable of providing a comprehensive and national response to the threats we face from terrorist activities and national disasters and emergencies. This important and vital role was clarified explicitly in P.L. 107-287. Under Section 4 of this act, the VA is authorized to provide medical care to anyone affected by a major disaster or national emergency. This also includes war wounded soldiers who return from the front lines of Iraq and Afghanistan.

A particular concern of PVA's is the fact that the recently enacted FY 2003 Omnibus Appropriations bill, P.L. 108-7, prohibited funding of all sections of this bill except Section 3 and 4. This effectively prevents the VA from creating the four emergency preparedness centers as well as establishing the new Assistant Secretary position. We have serious concerns with the practice of legislating through appropriations measures.

Unfortunately, amongst the growing recognition of the VA's critical role in assisting our states and localities, as well as active duty military, the Administration has failed to step forward and provide the funding necessary to accomplish this important mission, nor the

leadership necessary to move forward. Last year alone, the VA estimated that it would require \$250 million in the current fiscal year to begin to satisfy its 4th mission requirements. Despite not receiving funding for this mission, the VA will accomplish this mission and will therefore look to pull funding away from other programs in order to do so. This is a situation the VA should not be faced with.

PVA looks forward to working with this Subcommittee to ensure that the VA receives the resources it needs to accomplish the fourth mission as well as the resources needed to implement P.L. 107-287. At a time when we have soldiers already returning home from combat with injuries, we must be sure that the VA is ready and able to meet the needs of those brave men and women who have made, and are making, these sacrifices.

Thank you for the opportunity to testify today. I would be happy to answer any questions that you might have.

Information Required by Rule XI 2(g)(4) of the House of Representatives

Pursuant to Rule XI 2(g)(4) of the House of Representatives, the following information is provided regarding federal grants and contracts.

Fiscal Year 2003

Court of Appeals for Veterans Claims, administered by the Legal Services Corporation
— National Veterans Legal Services Program— \$220,000 (estimated).

Fiscal Year 2002

Court of Appeals for Veterans Claims, administered by the Legal Services Corporation
— National Veterans Legal Services Program— \$179,000.

Fiscal Year 2001

Court of Appeals for Veterans Claims, administered by the Legal Services Corporation
— National Veterans Legal Services Program— \$242,000.

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Carl Blake is an Associate Legislative Director with Paralyzed Veterans of America (PVA) at PVA's National Office in Washington, D.C. He represents PVA to federal agencies including the Department of Defense, Department of Labor, Small Business Administration, and the Office of Personnel Management. In addition, he represents PVA on issues such as homeless veterans and disabled veterans' employment as well as coordinates issues with other Veterans Service Organizations.

Carl was raised in Woodford, Virginia. He attended the United States Military Academy at West Point, New York. He received a Bachelor of Science Degree from the Military Academy in May 1998. He received the National Organization of the Ladies Auxiliary to the Veterans of Foreign Wars of the United States Award for Excellence in the Environmental Engineering Sequence.

Upon graduation from the Military Academy, he was commissioned as a Second Lieutenant in the United States Army. He was assigned to the 1st Brigade of the 82nd Airborne Division at Fort Bragg, North Carolina. Carl was retired from the military in October 2000 due to a service-connected disability.

Carl is a member of the Virginia-Mid-Atlantic chapter of the Paralyzed Veterans of America.

Carl lives in Fredericksburg, Virginia with his wife Venus and son Jonathan.